

City Council Work Session

Pursuant to Executive Order 2020-04, Section 8 and Emergency Order #12, Section 3

June 15, 2020

At 6:30 p.m. Mayor Grenier opened the meeting. Due to the State of Emergency declared by the Governor as a result of COVID-19 pandemic and in accordance with Governor Sununu's Emergency Order #12 pursuant to Executive Order 2020-04 this public body is authorized to meet electronically.

Please note that there is no physical location to observe and listen contemporaneously to the meeting, which was authorized pursuant to the Governor's Emergency Order. However, in accordance with the Emergency Order, this is to confirm that we are:

- a) *Providing public access to the meeting by telephone, with additional access possibilities by video or other electronic means;*

We are utilizing the Zoom platform for this electronic meeting. All members of the Council have the ability to communicate contemporaneously during this meeting through the Zoom platform, and the public has access to contemporaneously listen and, if necessary, participate in this meeting through dialing the following phone # 1-646-558-8656, meeting ID 849 6914 2710, or by clicking on the City Council agenda on the City's website, [www.berlinnh.gov](http://www.berlinnh.gov).

- b) *Providing public notice of the necessary information for accessing the meeting:*

We previously gave notice to the public of the necessary information for accessing the meeting, including how to access the meeting using Zoom or telephonically. Instructions have been provided on the City of Berlin's website of the Council at City Council-agendas

- c) *Providing a mechanism for the public to alert the public body during the meeting if there are problems with access:*

If anybody has a problem, please call Pam Laflamme at 603-752-8587 or e-mail at: [plaflamme@berlinnh.gov](mailto:plaflamme@berlinnh.gov)

- d) *Adjourning the meeting if the public is unable to access the meeting*

In the event the public is unable to access the meeting, we will adjourn the meeting and have it rescheduled at that time.

Please note that all votes that are taken during this meeting shall be done by Roll Call vote. By roll call, each member is to state their presence, and whether there is anyone in the room during this meeting, which is required under the Right to Know law.

Present at roll call were: Mayor Grenier, Councilor Rozek at City Hall; via Zoom, Councilors Theberge, Otis, Remillard, Higbee, Eastman, and Berthiaume. Councilor Morgan was absent.

Others present: City Manager James Wheeler, City Clerk Shelli Fortin, Superintendent of Schools Julie King, Community Development Director Pam Laflamme, Normand Roy, Denise Fortin, Fire Chief James Watkins, School Business Administrator Marion Moore, Public Works Director Ben Hall, Library Director Ann Brungot, Richard Laflamme, Barbara Tetreault, Berlin Daily Sun and public

Mayor Grenier called the meeting to order at 6:30 p.m. He asked to add a public hearing for the budget resolution that was advertised for 7:30 and he noted that there would be a non-public session at the end of the Regular Meeting. Councilor Remillard so moved; Councilor Higbee seconded and the motion carried unanimously by roll call.

### **Review Budget Resolution**

Mayor Grenier asked if there were any last minute questions or concerns. Councilor Remillard confirmed that this budget reduces the tax rate from \$39.82 to \$38.82. There were no further comments questions.

### **I & I Building Demolition List**

Mr. Wheeler presented a list of buildings to be demolished with SRF funds. These buildings will need to be reviewed by the Division of Historic Resources. He noted that the locations in red are not eligible for SRF but they were included to get a price for their removal. The bench list is locations that could be added if there are issues with DHR. Mayor Grenier asked when the demo would be complete and Mr. Wheeler indicated it would be in the fall.

List	"Bench" List
615 Burgess St	576 Goebel St
377 Burgess St	592 Rockingham St
399 Burgess St	
671 Cheshire St	
190 Glen Ave	
23 Norway St	
4 Bell Lane	
446 Hillsboro St	
825 Second Avenue	
54 Pleasant St	
758 Second Ave	

### **Sewer Abatements**

1) **Roland P. Duguay**

**128 Enman Hill Road**

Amount Billed: \$333.00 for 48 HCF

Last Year's billing: \$319.00 for 48 HCF

Reason for Request: Only resident in home for past 10 years, while spending most of time in summer on his boat. Neighbor's bills are half of his with two residents in home

Comments: Residence is served by a non-metered private well.

Mayor Grenier noted that he would need to put in a meter to have an accurate reading. Councilor Higbee asked how the City comes up with the charge and Mr. Wheeler stated that it is based on the average consumption of a residential property in the City and it was calculated years ago. Councilor Remillard asked if Mr. Hall has discussed having a meter installed with the resident and Mr. Hall stated that he has not; he could include in the correspondence back to Mr. Duguay.

Councilor Remillard moved to deny the request for abatement; Councilor Otis seconded

In further discussion Councilor Eastman confirmed that the average does not take into account how many people are living in the home. Mr. Wheeler established that it would be up to the homeowner to have a meter installed. In the vote that followed, the Council voted unanimously by roll call to deny the request.

2) **Jason Dumont**

**38 Hermanson Street**

Amount Billed: \$423.00 for 61 HCF

Last Year's billing: \$292.00 for 44 HCF

Reason for Request: Filled an 8,000 gallon pool in June/July of 2019. Has never used this quantity of water before.

Comments: Advised Mr. Dumont upon questioning his bill to go through abatement process. Historically the City considers the 20% reduction as accommodation for outside residential use.

Councilor Remillard noted that there is a 20% reduction built into the bill which includes filling a pool. Councilor Remillard moved to deny the request; Councilor Otis seconded and the motion carried unanimously by roll call. Councilor Higbee acknowledged that the criteria states there is no reduction for filling a pool.

3) **Normand R Roy**

**203 Wight Street**

Amount Billed: \$333.00 for 48 HCF

Last Year's billing: \$319.00 for 48 HCF

Reason for Request: Feels that bill is too much due to comparison with other two person residencies.

Comments: Residence is served by a non-metered private well.

It is a non-metered well. Councilor Berthiaume moved to deny; Councilor Otis seconded and the motion carried unanimously by roll call.

4) **Normand Roy**

**1 Alice Street**

Amount Billed: \$4,262.00 for 615 HCF

Last Year's billing: \$1,872.00 for 282 HCF

Reason for Request: Boiler was leaking in basement of vacant rental property that was not discovered until March of 2020. This bill will cause financial hardship of the aged owner who will not be able to pay for necessary health care.

Comments: This residence as well as two other residences are served by the same private well. The two residences connected to this address are metered and the third is billed via the average. Owner has been advised to install separate meter for each service in the past.

Mayor Grenier noted that an abatement was granted last year for this property. Mr. Hall added that it is not for the same reason. There was an undiscovered leak in the boiler and water went into the dirt floor. Councilor Otis moved to deny; Councilor Berthiaume seconded.

In further discussion Councilor Remillard stated that she would like to give them the opportunity to provide proof of the leak. Councilor Otis withdrew his motion; Councilor Berthiaume withdrew her second to the motion. Councilor Rozek said that proof including pictures, invoices should have been provided in the original application. Councilor Remillard moved to grant two weeks to respond and

provide full verification; Councilor Rozek seconded and the motion carried by roll call with all councilors voting “yes” with the exception of Councilor Theberge who voted “no”.

5) **Northeast Investments, LLC.**  
**Property: 509 Champlain Street**

Amount Billed: \$1,566.00 for 226 HCF  
Last Year's billing: \$671.00 for 101 HCF

Reason for Request: A large plumbing leak that has been repaired.

Comments: BWW confirmed usage and large leak within a shower unit. 146 of the 226 HCF usage was solely from October. BWW abated a large portion of the water bill, but it was the assessment portion of the bill and not the usage.

Councilor Remillard established that the water went down the shower and went into the sewer system. Councilor Remillard moved to deny the request; Councilor Otis seconded and the motion carried unanimously by roll call.

6) **Richard and Laura Braz**  
**110 Willard Street**

Amount Billed: \$4,044.00 for 583 HCF  
Last Year's billing: \$2,374.00 for 357 HCF

Reason for Request: Unknown cause of increased water usage during first two billing cycles from BWW. Initially thought it was a leaking toilet that was repaired during first quarter that did not reflect a decrease in water usage during quarter two. BWW and multiple plumbers investigated high use with no known problem identified. Third quarter billing usage decreased.

Comments: BWW 2019 quarterly usage; Q1: 283 HCF, Q2: 260 HCF, Q3: 84 HCF and BWW 2020 quarterly usage; Q1 104 HCF. BWW stated that leaking toilets within the first two quarters is what appears to be the cause. They also stated tenants would not let the owner into third floor apartment, and owners were not cooperative with BWW.

Councilor Berthiaume moved to deny; Councilor Otis seconded and the motion carried unanimously by roll call.

7) **Jules A Chaloux**  
**5 Guilmette Street**

Amount Billed: \$486.00 for 70 HCF  
Last Year's billing: \$266.00 for 40 HCF

Reason for Request: Claims billing history has always been approximately \$200, and this years was \$486. In the past there was a break for residents who let water run during winter to keep pipes from freezing.

Comments: No contact information on application to confirm if the residents are continuing to run water in the winter months or not.

We could ask the Water Works if this residence is still on running water. Councilor Otis commented that the application was not filled out completely  
Councilor Otis moved to deny the request; there was no second to the motion.

Councilor Remillard moved to postpone the vote for two weeks until verification of the Running Water Program is made; Councilor Higbee seconded and the motion carried unanimously by roll call.

8) **Claire Paine**  
**238 Willard Street**

Amount Billed: \$277.00 for 40 HCF  
Last Year's billing: \$139.00 for 21 HCF

Reason for Request: Possibility of unknown leak, or meter malfunction?

Comments: No contact information on application to contact resident for further information.

Mr. Hall noted that the request was in the form of a question. Councilor Berthiaume moved to deny and there was no second. Mayor Grenier noted that there is no mathematical error.

Councilor Remillard moved to allow two weeks for Ms. Paine to identify the leak or meter malfunction; Councilor Eastman seconded.

Councilor Eastman asked if Water Works could verify the meter and Councilor Remillard said that she would have to make the call. In the vote that followed, the motion carried unanimously by roll call.

9) **Marilyn Schroa**  
**575 First Avenue**

Amount Billed: \$381.00 for 44 HCF  
Last Year's billing: \$100.00 for 12 HCF

Reason for Request: Bill was received and found to be 4x greater than years prior. Unsure of the reason.

Comments: Applicant was looking for explanation of the increase in bill.

Councilor Eastman stated that the bill is 4 x higher because they used 4 x the water. Councilor Eastman moved to deny; Councilor Otis seconded and the motion carried unanimously by roll call. He asked that the communication state the reason for the increase.

10) **Sean Lamontagne**  
**Property: 777 Main Street**

Amount Billed: \$1,931.00 for 223 HCF  
Last Year's billing: \$1,129.00 for 136 HCF

Reason for Request: Financial hardship at this time due to COVID-19 and the timing of the bill along with tax bills in the near future. Factory defective toilet leaking.

Comments: None

There was no clerical error. A leaking toilet means the water went through the sewer system. Councilor Higbee moved to deny the request; Councilor Remillard seconded and the motion carried with all councilors voting "yes" by roll call with the exception of Councilor Otis who voted "no" by roll call.

### **Armory Environmental Review**

Mr. Wheeler explained that he contacted the adjunct general who made several documents available. Ms. Laflamme added that there are 50 documents spanning environmental work done at the armory from the late 80's to now. They've done lead and asbestos inside the building. Work on the outside includes groundwater monitoring wells, and removal of underground tanks with the exception of one that is serving the building. There is nothing to indicate improperly disposed of material. Councilor Rozek asked if the existing tank is a double walled tank with monitoring tank. There should be ground monitoring water quality test results to review.

Mayor Grenier stated that the subject needs to be vetted. None of the Council have seen the report. Councilor Remillard asked for a presentation. Councilor Eastman asked if the state will give a letter saying that it is clean. Mr. Wheeler replied that we can ask.

**Bear Problem**

Councilor Theberge stated that some residents have been putting garbage out at night. When bears get to it, they want PWD to pick it up. There is an ordinance that specifies garbage should not be put out until 5:00 a.m. on the day of trash pick-up. Mayor Grenier asked if Barbara Tetreault would remind folks that during the summer season, refuse is not to be put out until early morning. Councilor Remillard added that bird feeders should also be brought in at night.

There being no further business in Work Session, Mayor Grenier moved on to the Regular Meeting.

Respectfully Submitted,  
Susan Tremblay  
Administrative Assistant

\*Minutes are unofficial until they have been accepted by the City Council by motion.